

Superseded 1/1/2016

53-3-210.5 Learner permit.

- (1) Beginning on August 1, 2006, the division, upon receiving an application for a learner permit, may issue a learner permit effective for one year to an applicant who is at least 15 years of age.
- (2)
 - (a) The learner permit entitles an applicant that is 18 years of age or older to operate a class D motor vehicle only if:
 - (i) a person 21 years of age or older who is a licensed driver is occupying a seat beside the applicant; and
 - (ii) the applicant has the learner permit in the applicant's immediate possession while operating the motor vehicle.
 - (b) The learner permit entitles an applicant that is younger than 18 years of age to operate a class D motor vehicle only if:
 - (i)
 - (A) an approved driving instructor is occupying a seat beside the applicant;
 - (B) the applicant's parent or legal guardian, who must be a licensed driver, is occupying a seat beside the applicant; or
 - (C) a responsible adult who has signed for the applicant under Section 53-3-211 and who must be a licensed driver, is occupying a seat beside the applicant; and
 - (ii) the applicant has the learner permit in the applicant's immediate possession while operating the motor vehicle.
- (3) The division shall issue a learner permit to an applicant who:
 - (a) is at least 15 years of age;
 - (b) has passed the knowledge test required by the division;
 - (c) has passed the physical and mental fitness tests; and
 - (d) has submitted a nonrefundable fee for a learner permit under Section 53-3-105.
- (4)
 - (a) The division shall supply the learner permit form.
 - (b) The form under Subsection (4)(a) shall include:
 - (i) the applicant's full name, date of birth, sex, Utah residence address, height, weight, and eye color;
 - (ii) the date of issuance and expiration of the permit; and
 - (iii) the conditions and restrictions contained in this section for operating a class D motor vehicle.
- (5) An application and fee for a learner permit entitle the applicant to:
 - (a) not more than three attempts to pass the knowledge test for a class D license within one year; and
 - (b) a learner permit after the knowledge test is passed.
- (6)
 - (a) If an applicant has been issued a learner permit under this section, the applicant may be issued an original or provisional class D license from the division upon:
 - (i) completing a driver education course in a:
 - (A) commercial driver training school licensed under Part 5, Commercial Driver Training Schools Act; or
 - (B) driver education program approved by the State Board of Education or the division;
 - (ii) passing the skills test approved by the division;
 - (iii) reaching 16 years of age; and

- (iv) paying the nonrefundable fee for an original or provisional class D license application under Section 53-3-105.
- (b) In addition to the requirements under Subsection (6)(a), an applicant who is 17 years of age or younger is required to hold a learner permit for six months before applying for a provisional class D license.
- (c) An applicant is exempt from the requirement under Subsection (6)(a)(i) if the applicant:
 - (i) is 19 years of age or older;
 - (ii) holds a learner permit for three months before applying for an original class D license; and
 - (iii) certifies that the applicant, under the authority of a permit issued under this chapter, has completed at least 40 hours of driving a motor vehicle, of which at least 10 hours were completed during night hours after sunset.